

Prob12B  
D/NV Form  
Rev. Mar. 2007

**United States District Court**

**for**

**the District of Nevada**

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**REQUEST FOR MODIFICATION  
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**  
*Probation Form 49 (Waiver of Hearing) is Attached*  
**January 12, 2012**

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**Name of Offender:** GARY SMITH

**Case Number:** 2:10-cr-00010-PMP-RJJ

**Name of Sentencing Judicial Officer:** Honorable Philip M. Pro

**Date of Original Sentence:** June 27, 2011

**Original Offense:** Clean Air Act

**Original Sentence:** Two (2) years probation

**Date Supervision Commenced:** June 27, 2011

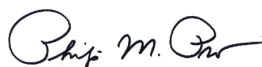
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**PETITIONING THE COURT**

   To extend the term of supervision        Months, for a total term of        Months.

✓ To modify the conditions of supervision as follows:

1. **Reside in Residential Re-entry Center - You shall reside at and participate in the program of a residential re-entry center for a period of six months as approved and directed by the probation officer.**



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PHILIP M. PRO  
UNITED STATES DISTRICT JUDGE

Dated: January 23, 2012.

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RE: GARY SMITH

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CAUSE

Since the onset of supervision, Mr. Smith has encountered major employment and housing disruption. At this time Mr. Smith has been forced to sleep in his employer's storage trailer due to limited financial resources and inability to locate affordable housing. This has made satisfaction of the home confinement special condition impossible.

Smith has also failed to make significant progress toward his required community service. The probation officer feels this is not necessarily wilful, but a result of limited access to transportation and his housing situation.

The probation officer requests a modification of Smith's conditions of supervision to include residence at the Las Vegas Community Corrections Center for a period of up to six months, additionally, the probation officer requests the Court remove the special conditions requiring home confinement and community service. Residence in the Community Corrections Center will not only serve as a sanction, but also provide the opportunity for Smith to establish some savings and hopefully put himself in a position to establish a stable, personal residence.

Smith had read the Probation Form 49, and has waived his right to a hearing in the matter. The Probation Form 49 is attached for your review.

Respectfully submitted,



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MITCHELL E. OSWALD  
Senior Probation Officer

APPROVED:



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MICHAEL P. SEVERANCE, Supervising  
U.S. Probation Officer